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September 14, 2015

via email & ECF
Alison J. Nathan
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

United States v. Minh Quang Pham
12 Cr. 423 (AJN)

Dear Judge Nathan:

As directed, I write to inform the Court regarding whether the defense will need to take depositions pursuant to Rule 15 of the Federal Rules of Criminal Procedure.

I will be meeting with and interviewing prospective foreign witnesses during the first week of October. To date, my direct contact with foreign witnesses has been difficult but I am informed through Mr. Pham's solicitors in the United Kingdom that some witnesses may not be able to travel to the United States due visa problems and others because of professional commitments. Further, I am informed that certain witnesses from the UK are willing to testify by way of deposition or contemporaneous video communication during trial. Their willingness to testify in the UK in either manner would avoid the painstaking task of obtaining and serving letters rogatory, a protracted process that might delay the start of the February 2016 trial.

I am hopeful that my meetings with these prospective witnesses will determine whether there will be a need for depositions or a request for trial testimony via real time video. Both procedures were utilized in a recent trial before the Honorable Lewis A. Kaplan - *United States v. Khalid Al Fawwaz*, S7 98 Cr. 1023 (KAF) - in which I was lead counsel and AUSA Sean Buckley was lead prosecutor.

I will update the Court on October 12th. In the interim, please contact me with any questions or requests for further information.

Very truly yours,

Bobbi C. Sternheim
BOBBI C. STERNHEIM

cc: AUSA Sean S. Buckley
AUSA Anna M. Skotko
AUSA Shane T. Stansbury
(*via email & ECF*)